

In the
Indiana Supreme Court



Bryant E. WILSON,
Appellant,

v.

State of INDIANA,
Appellee.

) Supreme Court Cause No.
) 27S02-1309-CR-584
)
) Court of Appeals Cause No.
) 27A02-1212-CR-1012
)
) Grant Circuit Court Cause No.
) 27C01-1006-FC-160

ORDER DIRECTING ADDITIONAL BRIEFING and
INVITING AMICUS PARTICIPATION

This matter is before us on a petition to transfer filed by the appellant, Bryant E. Wilson, who is unrepresented in this appeal.

Mr. Wilson was convicted in 1996 of two class A felonies (rape and criminal deviate conduct) and one class B felony (robbery). He was sentenced to an executed term of 50 years: concurrent terms of 45 years for the class A felonies and 20 years for the class B felony, with 15 years to be served concurrent with and 5 years to be served consecutively to the class A sentences. This was affirmed on direct appeal in a memorandum decision, Wilson v. State, No. 27A02-9610-CR-641 (Ind. Ct. App. Mar. 4, 1997), *trans. denied* (May 7, 1997). The denial of post-conviction relief was affirmed in a memorandum decision, Wilson v. State, No. 27A02-9809-PC-763 (Ind. Ct. App. Jun. 10, 1999), *trans. denied* (Ind. Aug. 25, 1999).

The Court of Appeals' opinion discussed the legality of a partially consecutive sentence. See Wilson v. State, 988 N.E.2d 1221 (Ind. Ct. App. 2013), *vacated*. **The Supreme Court is interested in receiving additional briefing on the issue of whether the imposition of a partially consecutive sentence is error.** Accordingly, the Court directs the Public Defender of Indiana to file a notice of appearance as an *amicus curiae* no later than **September 20, 2013**, and to file an amicus brief no later than **October 21, 2013**. In addition, the Court invites any other interested entities to participate as *amici curiae*. Other entities willing to prepare and file an *amicus curiae* brief are requested to file a motion on or before **September 20, 2013**, seeking leave to appear as *amicus curiae*. The Court encourages the submission of joint briefs. Briefs submitted by the Public Defender of Indiana and others granted *amicus curiae* status will be due no later than **October 21, 2013**. The State of Indiana shall file a single supplemental brief discussing the issue and responding to points raised by *amici curiae* no later than **November 27, 2013**. Mr. Wilson may also file a supplemental brief by **November 27, 2013**.

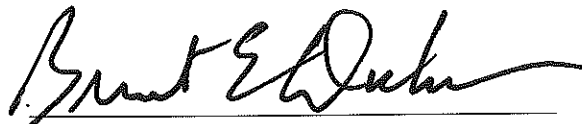
Briefs are limited to 4200 words, exclusive of the items listed in Appellate Rule 44(C), and must be accompanied by the verified statement of word count referred to in Appellate Rule 44(F). Briefs are to be served on Mr. Wilson, all counsel of record, and all those granted *amicus curiae* status. Extensions of time will be granted only for extraordinary circumstances.

The Clerk is directed to send a copy of this order to Mr. Wilson and all counsel of record.

In addition, the Clerk is directed to send a copy of this order to the Public Defender of Indiana; the Attorney General of Indiana; the Indiana Public Defender Council; the Prosecuting Attorneys Council; the Indiana Judicial Center as staff agency for the Judicial Conference of Indiana; and the Indiana State Bar Association. Those entities are encouraged to distribute a copy of this order to others as they see fit.

The Clerk is also directed to post a copy of this order to the Court's website.

Done at Indianapolis, Indiana, on September 9, 2013.

A handwritten signature in black ink, appearing to read "Brent E. Dickson", written over a horizontal line.

Brent E. Dickson
Chief Justice of Indiana

All Justices concur.